

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

UNITED STATES OF AMERICA,)
) Plaintiff,)
))
vs.))
))
))
SHOMARI F. HAKEEM,))
) Defendant,)
and))
))
ASBURY MANAGEMENT SERVICES,))
 LLC,))
) Garnishee.
)

ORDER OF CONTINUING GARNISHMENT

THIS MATTER is before the Court on the answer of Asbury Management Services, LLC, as the Garnishee. On June 23, 2006, the Honorable Lacy H. Thornburg sentenced the Defendant to twelve (12) months and one (1) day of incarceration for conviction of conspiracy to defraud the United States in violation of 18 U.S.C. §§371 and 1349. Judgment in the criminal case was filed on June 23, 2006 (Doc. No. 473). As part of that Judgment, the Defendant was ordered to pay an assessment of \$100.00 and restitution of \$1,535,370.00 to the victims of the crime. *Id.*

On December 10, 2019, the Court entered a Writ of Continuing Garnishment (“Writ”) (Doc. No. 787) as to the Garnishee, Asbury Management Services, LLC. The Defendant and Garnishee were served with the Writ and Instructions notifying the Defendant of his right to request a hearing on December 17, 2019 (Doc. No. 789). The Garnishee filed an Answer on January 21, 2020 (Doc. No. 790) stating that at the time of service of the Writ, the Garnishee had in its custody, control or possession property or funds owned by the Defendant, including non-

exempt, disposable earnings. The Defendant did not request a hearing, and the statutory time to do so has elapsed.

IT IS, THEREFORE, ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$459,134.34 computed through November 26, 2019. The Garnishee will pay the United States up to twenty-five percent of the Defendant's disposable earnings which remain after all deductions required by law have been withheld and one hundred percent of all 1099 payments. *See 15 U.S.C. § 1673(a).* The Garnishee will continue payments until the debt to the Plaintiff is paid in full or until the Garnishee no longer has custody, possession or control of any property belonging to the Defendant, or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

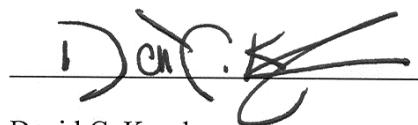
Clerk of the United States District Court
401 West Trade Street
Charlotte, North Carolina 28202

In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW3:05CR277-6.

IT IS FURTHER ORDERED that the Garnishee will advise this Court if the Defendant's employment is terminated at any time by the Garnishee or the Defendant.

The Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the Defendant would normally receive may be offset and applied to this debt.

Signed: July 23, 2020



David C. Keesler
United States Magistrate Judge
